

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-against- : 21 CR 446 (VSB)
ANDREW FRANZONE : AFFIDAVIT OF
: MARGARET MCGUIRK

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STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Margaret McGuirk, being duly sworn and under penalties of perjury, deposes and says as follows:

1. I am the mother of the Defendant, ANDREW FRANZONE.
2. On April 24, 2021, I called the Westin Beach Resort & Spa (the “Hotel”), and spoke to Robert, who works at the Hotel’s front desk.
3. I had had prior interactions with the Hotel, and specifically with Robert. At the time of my son’s arrest on April 22, 2021, my son had been staying at the Hotel for approximately a year. During that time, I periodically made calls to the Hotel to pay my son’s Hotel bill.
4. During my phone call with Robert, on April 24, 2021, I paid my son’s Hotel bill with the American Express card of my husband, Andrew J. Franzone. I told Robert that I wanted my son’s stuff from my son’s hotel room (1147) once Robert informed me that my son had already been checked out of the Hotel.

5. On April 24, 2021, Robert explained to me, in sum and substance, that he does not handle returning belongings, and that I would have to speak with another employee of the Hotel named Alain. Robert then transferred me to Alain's extension. However, I had to call Alain back, because he did not answer.
6. Within a few days of speaking with Robert, I spoke with Alain, who told me, in sum and substance, that my son's electronic devices had been picked up by a man named Ed Gannon, and that the rest of my son's belongings had been placed in two black garbage bags, which were in the Hotel's business center.
7. Alain asked me if I could have someone pick up the belongings from the Hotel. I told him that I would have to get back to him and asked him not to throw anything out. I also asked Alain to have my son's property shipped to me via UPS Ground, at my expense. The Hotel refused to ship the property via UPS Ground.
8. After I made repeated phone calls to the Hotel to attempt to make arrangements to have my son's property returned, I was no longer able to reach Alain at the Hotel. The property was never returned.



MARGARET MCGUIRK, M.D.

Sworn and subscribed to before me this 24th day of June, 2022:



Notary Public

